

REMARKS

Summary of the Office Action

Claims 11-13 and 17 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,955,259 to Gustafsson ("Gustafsson").

Claims 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gustafsson in view of U.S. Patent No. 4,643,620 to Fujii et al ("Fujii").

Claims 20-22 are allowed.

Claims 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Applicants have amended claim 14.

Claims 11-22 are pending.

All Claims Define Allowable Subject Matter

Claims 20-22 are allowed. Claims 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully thank the Examiner for the indication of allowable subject matter. Applicants have rewritten claim 14 in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-16 depend from claim 14. Thus, claims 14-16 are in condition for allowance.

Withdrawal of the objection to claims 14-16 is requested.

Claims 11-13 and 17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Gustafsson. Claims 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gustafsson in view of Fujii. Applicants respectfully traverse the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a). Claim 11 recites “the nose cutting edges of the top side at least touching a common top plane; the nose cutting edges of the bottom side at least touching a common bottom plane oriented parallel to the top plane; wherein an imaginary line which extends perpendicular to the top and bottom planes and which intersects the minor cutting edge of any cutting corner at a location in-between opposite ends of such minor cutting edge, passes through the body.” As described, for example, at paragraph 0016 and illustrated in Fig. 1C of Applicants’ specification, an imaginary line L, which is perpendicular to the plane P and tangent to the minor cutting edge 19, intersects the edge surface 13 at a distance L1 from the minor cutting edge.

The Office Action is silent as to that portion of the disclosure of Gustafsson that is relied upon for a showing of “the nose cutting edges of the top side at least touching a common top plane; the nose cutting edges of the bottom side at least touching a common bottom plane oriented parallel to the top plane; wherein an imaginary line which extends perpendicular to the top and bottom planes and which intersects the minor cutting edge of any cutting corner at a location in-between opposite ends of such minor cutting edge, passes through the body.” Applicants respectfully submit that Gustafsson does not teach or suggest such features, as recited in claim 1. Applicants submit that Fujii fails to overcome the deficiencies of Gustafsson. Claims

12, 13 and 17-19 depend from claim 11, and recite the same combination of allowable features recited in claim 11, as well as additional features that define over the prior art. Accordingly, it is requested that the rejection under 35 U.S.C. § 102(b), of claims 11-13 and 17, and the rejection under 35 U.S.C. § 103(a) of claims 18-19, be withdrawn, and the claims allowed.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: May 30, 2006

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